

REMARKS

Claims 17-21 and 23 are currently pending, wherein claims 17 and 23 have been amended to include the subject matter of canceled claim 22. Favorable reconsideration is respectfully requested in view of the remarks presented herein below.

On page 2 of the Office action (“Action”), the Examiner rejects claims 17-23 under 35 U.S. Patent Application Publication No. 2002/0156732 to Odijk et al. (“Odijk”) in view of U.S. Patent Application No. 2002/0029189 to Titus et al. (“Titus”), further in view of U.S. Patent No. 6,760,417 to Wallenius (“Wallenius”). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some rationale to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 17-21 and 23 are patentable over the combination of Odijk, Titus, and Wallenius for at least the reason that the combination fails to disclose each and every claimed element as discussed below. For example, the combination Odijk, Titus, and Wallenius fails to disclose or suggest “sending the converted charge data to the Pre-Paid platform, the converted charge data including at least a B-number and a time definition” as originally defined in canceled claim 22.

In Action, the Examiner relies on Wallenius for teaching the claimed steps of “converting, in the charging module, the received charge data and service code into a predefined format accepted by the pre-paid platform and sending the converted charge data to the pre-paid platform. However, nowhere in Wallenius is there any disclosure or suggestion of the converted charge data including a B-number and a time definition as claimed. To the contrary, Wallenius specifically discloses that the converted charge data is “expressed as an amount of money spent or as charging pulses.” See column 2, lines 18-20 of Wallenius.

Since Odijk, Titus, and Wallenius each fail to disclose or suggest sending the converted charge data to the Pre-Paid platform, the converted charge data including at least a B-number and a time definition as claimed, the combination of these three references cannot possibly disclose or suggest said elements. Therefore, even if one skilled in the art had some rationale to combine Odijk, Titus, and Wallenius (which Applicants do not concede), the combination would still fail

to render claims 17-21 and 23 unpatentable because the combination fails to disclose each and every claimed element.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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